levy taxes upon said lands or by asserting other civil and criminal jurisdiction over the same.

(d) At no time prior to the filing of motion herein for leave to file bill of complaint had any action been taken by either the State of Mississippi or the State of Louisiana to reach an agreement, one state with the other, to settle the alleged boundary dispute.

(e) The alleged boundary dispute, if one exists at all, is one which has arisen as a result of conflicting proprietary claims to such lands between citizens of the State of Mississippi, claiming title under Mississippi law, and citizens of the State of Louisiana, claiming title under Louisiana law, and no actual controversy of a justiciable nature has arisen between the two states mentioned as to a portion of the boundary between them; therefore, the State of Louisiana reasserts and reurges the position taken by it in its answer to rule to show cause why leave to file bill of complaint should not be granted, that the alleged boundary dispute is not actually a controversy between states for which original jurisdiction is conferred upon this Honorable Court, under Section 2 of Article III of the Constitution of the United States of America.

(2)

The State of Louisiana admits the correctness of the allegations contained in the second article of the bill of complaint.

(3)

The State of Louisiana admits the correctness of the allegations contained in the third article of the bill of complaint.

(4)

The State of Louisiana admits the correctness of the allegations contained in the fourth article of the bill of complaint.

(5)

Answering the fifth article of the bill of complaint, the State of Louisana admits that Warren County, State of Mississippi, is on the Mississippi River, between the 33rd and 31st degrees of north latitude. The State of Louisiana denies that large tracts of land known as Diamond Island, Diamond Island Towhead and Diamond Point are located in the County of Warren, State of Mississippi and are each and all part of the territory of the State of Mississippi, and alleges that such tracts of land are actually situated in the Parish of Madison, State of Louisiana and are each and all part of the territory of the State of Louisiana.

(6)

Except as may be hereinafter specially admitted, the allegations contained in the sixth article of the bill of complaint are denied.

It is admitted:

(a) That changes in the course of the Mississippi River have occurred since the States of Mississippi and Louisiana, respectively, were admitted into the union;

(b) That Diamond Island and Diamond Island Towhead, as the same presently exist, whether constituting a continuous body or separate tracts of land, is or are now situated to the westerly side of the present navigable stream of the Mississippi River;

(c) That said lands are joined to the Louisiana shore;

(d) That when the two states aforesaid were respectively admitted into the union, the thread of the Mississippi River formed the boundary to the east and the west, respectively, of said states; but that since the State of Louisiana was the first of the two states mentioned to have acquired statehood in the union, the